IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 623 of 2003

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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RAJNIKANT ALIAS RAJU J DESAI VAKIL - Petitioner(s)

Versus

DIRECTOR OF MUNICIPALITIES - Respondent(s)

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Appearance :

MR AJ SHASTRI for Petitioner(s) : 1,
MR SIRAJ GORI AGP for Respondent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 21/11/2005

ORAL JUDGMENT

1. Learned advocate Shri Shastri for the petitioner points out that in the present petition, the petitioner has challenged an order dated 19th January, 2001 by which

the petitioner was removed as a Councillor in exercise of powers u/s 37(1) of the Gujarat Municipalities Act, 1963. He further points out that the impugned order was stayed by this Court and the petitioner continued in his capacity as a Councillor under the protection of the Court. He further submits that the term of the Municipality is over and in fact the petitioner to his knowledge already contested fresh election. The petition has, therefore, become infructuous. The same is disposed of accordingly with the liberty to apply in case of difficulty. Rule is discharged with no order as to costs.

(Akil Kureshi, J.)

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